

AMENDED IN SENATE JUNE 15, 2016

AMENDED IN ASSEMBLY JANUARY 25, 2016

AMENDED IN ASSEMBLY APRIL 22, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 501

Introduced by Assembly Member Levine

February 23, 2015

~~An act to add Chapter 6 (commencing with Section 85285) to Part 3 of Division 35 of the Water Code, relating to resources; to add Section 423.6 to the Government Code, relating to state emblems.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 501, as amended, Levine. ~~Resources: Delta research. State fabric.~~
~~Existing law declares the official state animal, rock, mineral, grass, insect, bird, and marine fish, among other things.~~

~~This bill would make denim the official state fabric.~~

~~Existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, requires the Delta Stewardship Council to develop, adopt, and commence implementation of a comprehensive management plan for the Delta, meeting specified requirements. The act requires the Delta Independent Science Board to develop a scientific program relating to the management of the Delta.~~

~~This bill would require a person conducting Delta research, as defined, whose research is funded, in whole or in part, by the state, to take specified actions with regard to the sharing of the primary data, metadata, and other supporting materials created or gathered in the course of that research. The bill would make a researcher ineligible for state funding if the researcher does not substantially comply with these~~

requirements within 6 months of completing the Delta research project, until the researcher complies with those requirements. The bill would require a state agency that funds or participates in Delta research to (1) make it a condition of a Delta research grant that the grantee implement a data management plan that specifies how the grantee will share research data, metadata, and findings with other researchers and (2) adopt policies and programs to disseminate and share Delta research results, unless the agency determines that sufficient funds are not available for that purpose. The bill would authorize the requirement to adopt policies and programs to be met by an interagency group adopting coordinated guidelines to provide consistent procedural and technical requirements for Delta research and adjustments to, and, where essential, exceptions from, the bill's requirements and would exempt the adoption of these coordinated guidelines from the procedural requirements for the adoption of regulations.

Vote: majority. Appropriation: no. Fiscal committee: yes-no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) Denim is a sturdy cotton twill fabric. To create denim fabric,*
- 4 *horizontal threads pass under two or more vertical threads.*
- 5 *However, denim is much more than just a fabric. Denim's history*
- 6 *is interwoven with California history from the 1850s through today.*
- 7 *(b) Since the 17th century through the present day, denim has*
- 8 *been used to make upholstery, tents, blankets, wagon covers, and*
- 9 *of course, pants known as jeans.*
- 10 *(c) Denim jeans were invented in San Francisco during the*
- 11 *Gold Rush Era, and in May 1873, the United States Patent and*
- 12 *Trademark Office approved patent number 139,121 for the*
- 13 *invention of jeans.*
- 14 *(d) The history of denim jeans parallels the history of California.*
- 15 *At first, jeans were designed as practical working clothes. They*
- 16 *eventually became a symbol of American culture. Jeans have been*
- 17 *worn by gold miners, cowboys, farm workers, rock stars, "hippies,"*
- 18 *and people of all walks of life. Jeans were featured in the first*
- 19 *Hollywood silent films and became an iconic costume in a variety*
- 20 *of genres, especially westerns and war films.*

1 (e) Today, California is responsible for about 75 percent of the
2 premium denim jeans sold throughout the world. The industry
3 employs more than 200,000 people in southern California alone,
4 making it the largest fashion manufacturing hub in the United
5 States. Denim jeans can be found in the wardrobes of 96 percent
6 of American consumers who, on average, own seven pairs. Denim
7 jeans represent an estimated \$60 billion global market for retailers.

8 (f) Celebrities, music artists, models, business people, and
9 Californians of all ages continue to wear denim. Jeans have
10 become the uniform for several companies in the technology
11 industry in Silicon Valley. Prominent technology companies
12 developed genius innovations while working in a garage wearing
13 comfortable denim jeans.

14 (g) Denim companies have used their brands to positively impact
15 the global community by spreading awareness about gender
16 equality, climate change, fair trade, workplace equality, and a
17 variety of other contemporary issues.

18 (h) Several denim companies are now looking into the future
19 and making sustainability a core principal of its business model.
20 California's denim industry has worked to shrink its carbon
21 footprint and combat drought.

22 SEC. 2. Section 423.6 is added to the Government Code, to
23 read:

24 423.6. Denim is the official state fabric.

25 ~~SECTION 1. Chapter 6 (commencing with Section 85285) is~~
26 ~~added to Part 3 of Division 35 of the Water Code, to read:~~

27
28 ~~CHAPTER 6. DISSEMINATION AND SHARING OF STATE-FUNDED~~
29 ~~DELTA RESEARCH DATA~~
30

31 ~~85285. For purposes of this chapter, the following definitions~~
32 ~~shall apply:~~

33 (a) ~~“Delta research” means scientific inquiry that meets one or~~
34 ~~both of the following conditions:~~

35 (1) ~~The San Francisco Bay or the Sacramento-San Joaquin Delta~~
36 ~~is, in whole or in part, the locus of the research.~~

37 (2) ~~The research addresses environmental factors relevant to~~
38 ~~this division, including, but not limited to, hydrodynamics, salinity,~~
39 ~~geomorphology, studies related to aquatic species, and water~~
40 ~~quality, including mercury contamination, in the Sacramento River,~~

~~the San Joaquin River, or any tributary, including any impoundment on any tributary, of the Sacramento or San Joaquin Rivers.~~

~~(b) “Machine readable” means data encoded on an appropriate medium and in a form suitable for processing by computer.~~

~~(c) “Researcher” means a person who conducts Delta research and whose research is funded, in whole or in part, by the state, including, but not limited to, by a research grant.~~

~~85285.5. It is the intent of the Legislature that a person conducting Delta research has a responsibility, as a member of the scientific community, to share results and findings with other researchers for the public benefit.~~

~~85286. (a) Except as provided in coordinated guidelines adopted pursuant to Section 85287, if any, a researcher shall do all of the following:~~

~~(1) Implement a data management plan that specifies how the researcher will share research data, metadata, and findings with other researchers in a form that is machine readable.~~

~~(2) Provide the Delta Science Program with access to all primary data created for conducting Delta research.~~

~~(3) Promptly prepare and submit for publication, with authorship that accurately reflects the contributions of those involved, all significant findings from Delta research.~~

~~(4) Permit and encourage the publication of Delta research by those actually performing Delta research, unless a state funding recipient intends to publish or disseminate those findings by itself.~~

~~(5) Share with other researchers, at no more than incremental cost and within a reasonable time, the primary data, metadata, and other supporting materials created or gathered in the course of conducting Delta research.~~

~~(6) Encourage and facilitate the sharing of the primary data, metadata, and other supporting materials created or gathered in the course of conducting Delta research.~~

~~(7) Release privileged or confidential information only in a form that protects the privacy of individuals and subjects involved.~~

~~(b) It is the intent of the Legislature that this section provide the Delta Science Program, as described in Section 85280, with the authority to request data when the Delta Science Program deems, at its discretion, that data is relevant, but that this section~~

1 not create an obligation or duty upon the Delta Science Program
2 to request or manage data.

3 85287. (a) A state agency that funds or participates in Delta
4 research shall make it a condition of a Delta research grant that
5 the grantee implement a data management plan, as required by
6 paragraph (1) of subdivision (a) of Section 85286.

7 (b) (1) A state agency that funds or participates in Delta research
8 shall adopt policies and programs to disseminate and share Delta
9 research results, unless the agency determines that sufficient funds
10 are not available for that purpose.

11 (2) The requirements of this subdivision may be met by an
12 interagency group that includes, but need not be limited to, the
13 department, the State Water Resources Control Board, the
14 Department of Fish and Wildlife, the Delta Stewardship Council,
15 and the Sacramento-San Joaquin Delta Conservancy adopting
16 coordinated guidelines to provide consistent procedural and
17 technical requirements for Delta research, including, but not limited
18 to, standardized types of information, and adjustments to, and,
19 where essential, exceptions from, the requirements of this chapter,
20 for the purposes of safeguarding the rights of individuals and
21 subjects, or the validity of the results, or accommodating legitimate
22 research interests. Coordinated guidelines adopted pursuant to this
23 paragraph are not regulations for purposes of, and shall not be
24 subject to, Chapter 3.5 (commencing with Section 11340) of Part
25 1 of Division 3 of Title 2 of the Government Code.

26 (c) To the extent permitted by federal law, a state agency that
27 funds or participates in Delta research may accept any funds,
28 services, equipment, or grants to further the purpose of this section.

29 85287.5. A researcher that does not substantially comply with
30 the requirements of Section 85286 within six months of completing
31 the Delta research project is not eligible for state funding until the
32 researcher complies with those requirements.